



MUNICIPALITY OF SKAGWAY, ALASKA  
REGULAR ASSEMBLY MEETING

September 21, 2023  
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1. **Call to Order:**

Mayor Cremata called the meeting to order at 7:00 p.m.

Mayor Cremata formally acknowledged that the Assembly is gathered on the traditional land of the Tlingit people.

The pledge of allegiance was recited.

2. **Roll Call:**

**Present:** Mayor: Andrew Cremata **Assembly Members:** Deb Potter, Sam Bass, Orion Hanson, Alex Weddell, Dan Henry, Jay Burnham

**Absent:**

3. **Approval of Minutes:**

- A. August 16, 2023 Board of Appeals
- B. August 17, 2023 Assembly

**Motion/Second: Henry/Hanson**

To approve the August 16, 2023 Board of Appeals and August 17, 2023 Assembly meeting minutes.

The Motion passed by roll call vote, 6 yes, 0 no, 0 absent.

4. **Approval of Agenda:**

**Motion/Second: Henry/Potter**

To approve the agenda.

The Motion passed by roll call vote, 6 yes, 0 no, 0 absent.

5. **Reports of Officials and Committees:**

A. **Mayor's Report:**

Mayor Cremata indicated that:

- His written report is in the packet.

B. **Assembly Committee Reports:**

A. **Assemblymember Jay Burnham:**

**Motion/Second: Burnham/Weddell** to approve the check run.

Assemblymember Burnham indicated that a large portion of the check run was for the port.

Motion passed by roll call vote, 6 yes, 0 no, 0 absent.

**Assemblymember Burnham** indicated that Finance met on September 20, 2023, and did the following:

- Reviewed Resolution No. 23-31R: Declaring the Period of October 1, 2023 Through March 31, 2024 as a Sales Tax Holiday for Retail Sales
  - Finance recommends Assembly approval.

**Assemblymember Potter** indicated that Parks and Recreation met on Tuesday, September 12, 2023, where two items were discussed; anti-littering signs made by 4th and 5th grade students, and Ordinance 23-XX: Amending SMC 5.20 to Allow Mobile Food/Retail Trucks at Seven Pastures During Festivals Declared by the Mayor. They will continue discussing both topics at future meetings.

**Assemblymember Bass** indicated that he would like to congratulate Ryan Odsather and James Michels for receiving a Mayoral commendation for their recent search and rescue effort that returned a missing person to their family.

**Assemblymember Weddell** indicated that Civic Affairs will be meeting in October to discuss Resolution 23-30R as well as the correspondence policy. She would like to encourage the public to attend and speak.

**C. Treasurer's Report:**

**D. Manager's Report:**

**Deputy Manager Deach** indicated that:

- Southeast Conference has ended, and she learned some things she would like to share:
  - The Alaskan Mariculture Alliance received funding to support the development of mariculture in Alaska, such as seaweed and oyster farms.
  - Sitka Community Land Trust gave a presentation, and it seems like a good model to address housing challenges in southeast Alaska.
  - She had a meeting with the other port communities: Sitka, Juneau, Ketchikan, Victoria, and Seattle. They discussed having a more formal structure of the group to find similar needs and advocate for them as a group at the State and Federal levels.
  - The Southeast Alaska by the Numbers publication reported that the regional economy is doing very well. Skagway had the largest 2021 to 2022 job gains, the largest increases in total wages, the business leaders in Skagway reported the most positive business perspectives, and Skagway had the most positive outlook in general.
  - Southeast Conference awarded Skagway the 2023 Community of the Year Award in recognition of exemplary economic resiliency, vibrancy, and strength.

**6. Communications to the Assembly:**

- A. **Correspondence:**
- B. **Hear Citizens Present**

**Charity Pomeroy** indicated that:

- She is in support of Ordinance 23-23 and believes that requiring containerization of ore is the bare minimum of precautions that should be taken to protect the community.

**Denise Caposey** indicated that:

- She is a board member of KHNS and would like to thank the Assembly for their continued support. She invites everyone to their annual meeting which will be held Wednesday, September 27 at 6:00 p.m.
- She supports Ordinance 23-23 because she wants to see environmentally sound decisions made for the port.
- She appreciates Mayor Cremata's years of service.

**Sherry Corrington** indicated that:

- She is in favor of Ordinance 23-23 requiring containerized ore.

**Steve Hites, Historic District Commission** indicated that:

- He would like to request the Assembly approve the request from DOT regarding the boardwalk maintenance on 5th avenue and State Street. All Commissioners agreed that a boardwalk in that location is essential to maintain the streetscape, viewshed, and the integrity of the Historic District.
- Permitting Official Fairbanks has been doing a wonderful job.
- The commission is trying to get the Historic District back in line with the code, but the Municipality will need to consider enforcement for the future.

**Elle McManus** indicated that:

- Last year the 4th and 5th grade science students wrote letters presenting stormwater pollution problems that affect Skagway's watershed and salmon habitats and offered solutions to improve the current rain garden or construct a new one. The Skagway Traditional Council was awarded a \$40,000 grant toward the rain garden project. The agenda item was referred to the Public Works Committee, who did not discuss it further. Instead, the existing rain garden was destroyed, and the students were unable to see their project through.

**Liz Lavoie** indicated that:

- She supports the containerization of ore shipments.

**Mavis Henrickson** indicated that:

- Her outburst at a previous meeting was because she was upset about a citizen stating that we should give some of Garden City away. The mayor handled it the way he should, by asking the police chief to escort her out.
- The Municipality should not be building a solid waste facility across from the Dyea road. That property is ideal for housing or an RV park and should not be a garbage dump.

**Mayor Cremata declared a five-minute recess at 7:30 p.m. with no objection from the Assembly.**

**7. Ordinances, Resolutions, & Proclamations:**

- A. Public Hearing and Adoption of Resolution No. 23-31R: Declaring the Period of October 1, 2023 Through March 31, 2024 as a Sales Tax Holiday for Retail Sales**

**Public Hearing**

The Public Hearing closed with no comments.

**Motion/Second: Henry/Burnham** adopt Resolution No. 23-31R.

**Assemblymember Hanson** indicated that he has concerns about the affordability of housing in the winter and he would like to see residential rents also included in the sales tax holiday.

**Assemblymember Bass** indicated that he agrees that the Municipality should investigate the impact of including rent in the sales tax holiday in future years.

**Assemblymember Henry** indicated that he would guess that 80% of the taxed rental income is for businesses and not residential. Additionally, many landlords have set rental amounts and do not pass on the sales tax savings to the renters and the money stays with the landlord.

**Assemblymember Weddell** indicated that she agrees that renters will not see the savings; however, she is not opposed to continuing discussions regarding rental income in the future.

The Motion passed by roll call vote, 6 yes, 0 no, 0 absent.

**B. Introduction and First Reading of Ordinance No. 23-23: Requiring Bulk Ore Shipment to be Containerized**

**Motion/Second: Henry/Potter** for the introduction and first reading of Ordinance No. 23-23.

**Assemblymember Potter** indicated that Skagway cannot risk another legacy contamination, and this is an important decision for the future of this community. As discussions with the Yukon government continue regarding the possible marine services platform, it is important that the Municipality have full transparency about what the expectations and parameters are going to be.

**Assemblymember Bass** indicated that this is an important issue in protecting our small community from pollution. He would like to see the Municipality move forward with industry, but in a healthy and safe way.

**Assemblymember Henry** indicated that shipping methods chosen by the mines should be presented to the Assembly to be thoroughly reviewed and ultimately approved or denied.

**Assemblymember Weddell** indicated that she likes to err on the side of caution and environmentalism. She contacted a longshoreman in Surrey, B.C. where they are using a containerized system to ship copper concentrate and they advised that it is working for them, though it does not get as cold there as it does in Skagway.

**Assemblymember Hanson** indicated that he spoke to a Yukon government official who told him that they are in support of this ordinance, as well as the mining companies. He is concerned that the Assembly does not have the expertise in hauling hundreds of thousands of concentrates through the port and he would like to see more education in that regard.

**Mayor Cremata** indicated that he really appreciates the community attending tonight to voice their opinions on what happens with the port.

The Motion passed by roll call vote, 6 yes, 0 no, 0 absent.

8. **Unfinished Business:**

9. **New Business:**

A. Consideration of DOT&PF Request for MOS Boardwalk Maintenance on State Street

**Main Motion/Second: Weddell/Bass** to direct Public Works to perform maintenance on proposed wooden sidewalk as outlined in the DOT request.

**Assemblymember Weddell** indicated that the boardwalk in that location is in disrepair and is a hazard. The Historic District Commission determined that the sidewalk should be a wooden boardwalk to stay in line with the historic district.

**Assemblymember Hanson** indicated that he agrees that the historic boardwalks should be maintained, but he has heard the manager express some concerns regarding entering an MOA like the one proposed.

**Deputy Manager Deach** indicated that the concerns would be additional staff hours and funding necessary to maintain another stretch of boardwalk. Additionally, the Municipality does not own that property so it is unknown what the liabilities would be. If the Assembly chose to move forward with this motion, then administration would consult the attorney and possibly enter into an agreement with DOT as directed. The Historic District Commission could approve the permit application with a condition that there is an agreement with the state prior to the maintenance.

**Secondary Motion/Second: Hanson/Weddell** to amend the motion to add “additionally requesting staff to create an MOA for maintenance and costs.”

**Steve Hites, Chair of the Historic District Commission** indicated that DOT stated that they needed to work within a time frame, and if the Assembly could give them an indication that they would be willing to work with them, then the State could move forward with the larger project. The HDC was in favor of recommending the Assembly enter an MOA so that the boardwalk could be built.

**Assemblymember Burnham** indicated that the State is requesting the Assembly consider performing maintenance, including individual board replacement, yearly power washing, and snow removal. He would like to point out that the state does not do snow removal on any of the other sidewalks on State Street, but they are still requesting that the Municipality clear that section of any snow.

**The Secondary Motion passed by roll call vote, 6 yes, 0 no, 0 absent.**

**Secondary Motion/Second: Potter/Burnham** to amend the motion to include add indemnification.

**The Secondary Motion passed by roll call vote, 6 yes, 0 no, 0 absent.**

**The Main Motion passed as twice amended by roll call vote, 6 yes, 0 no, 0 absent.**

B. Approval to Distribute Bullet Points re: Petro 49 Lease Terms and Conditions

**Motion/Second: Bass/Hanson** to distribute the bullet points for the Petro 49 lease terms and conditions.

**Assemblymember Hanson** indicated that this is important information for the public to understand before voting on the ballot question approving this lease for an essential service.

The Motion passed by roll call vote, 6 yes, 0 no, 0 absent.

10. **Mayor and Assembly Discussion Items:**

**Assemblymember Henry** indicated that:

- He will plan a town hall for next week.

**Assemblymember Bass** indicated that:

- Skagway being awarded 2023 City of the Year by Southeast Conference shows the resilience of this community after COVID.
- He appreciates Ms. McManus, her class, and STC's efforts to get the \$40,000 grant.

**Assemblymember Hanson** indicated that:

- He applauds Mayor Cremata's dedication to Skagway. He saw the community through the tragic loss of his predecessor, a worldwide pandemic, and a challenging rockslide.

**Assemblymember Potter** indicated that:

- The mayor always has Skagway's best interests at heart, and she is grateful for him bringing forward the containerized ore topic.

**Assemblymember Weddell** indicated that:

- Her thanks to Mayor Cremata and Assemblymember Potter for bringing up the issue of containerized ore.

**Assemblymember Burnham** indicated that:

- Mayor Cremata had to deal with some novelty situations in his tenure and he would like to thank him for his service.

**Mayor Cremata** indicated that:

- He appreciates the kind words, and he attributes many of his accomplishments to teamwork.

11. **Executive Session:**

12. **Adjournment:**

With no more business on the agenda, and with no objection from the table, Mayor Cremata adjourned the regular Assembly meeting of September 21, 2023 at 8:37 p.m.

ATTEST:

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Sam Bass, Mayor

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Steve Burnham Jr., Borough Clerk  
(SEAL)